

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

TRUSTEES OF THE UFCW AND)	
EMPLOYERS KANSAS AND)	
MISSOURI HEALTH AND WELFARE)	
FUND,)	
)	
Plaintiffs,)	No. 04-1089-CV-W-GAF
)	
vs.)	
)	
WESTFIELD APPLE MARKET, L.L.C.)	
)	
Defendant.)	

ORDER ENTERING DEFAULT JUDGMENT ON BEHALF OF PLAINTIFF

Plaintiff filed its complaint on December 2, 2004 and summons in this action were served on defendant on December 3, 2004. The Return of Service was filed with the Court on February 3, 2004. The time within which defendant may answer or otherwise move as to the complaint has expired, and the defendant has not answered or otherwise moved, and the time for defendant to answer or otherwise move has not been extended. Plaintiff has moved the Court to enter judgment in its favor. Defendant did not file a response to plaintiff's default motion. Therefore the Court finds defendant to be in default and a default judgment is entered on behalf of plaintiff.

The court finds that defendant owes plaintiff the sum of \$2,363.48, accrued interest in the amount of \$33.10, costs in the amount of \$270.00, and attorney fees in the amount of \$1,190.00. Therefore, judgment is entered in favor of plaintiff and against defendant in the amount of \$3,856.58 with postjudgment interest to accrue at the statutory rate.

IT IS SO ORDERED

/s/ Gary A. Fenner
GARY A. FENNER, JUDGE
United States District Court

DATED: May 17, 2005